

# CITY OF SAN BRUNO

---



567 El Camino Real  
San Bruno, CA 94066  
Voice: (650) 616-7074  
Fax: (650) 873-6749  
<http://sanbruno.ca.gov>

## STAFF

Tom Williams  
*Community Development Director*  
Aaron Akin, AICP, *Associate Planner*  
Pamela Thompson, *City Attorney*  
Tanya Benedik, *Recording Secretary*

## PLANNING COMMISSIONERS

Perry Petersen, *Chair*  
Joe Sammut, *Vice-Chair*  
Mary Lou Johnson  
Bob Marshall Jr.  
Robert Schindler  
Mark Tobin  
Kevin Chase

---

## COMMUNITY DEVELOPMENT DEPARTMENT

### PLANNING COMMISSION MINUTES

May 18, 2004

San Bruno Senior Center  
1515 Crystal Springs Blvd.  
7:00 P.M. to P.M.

**CALL TO ORDER at 7:00 p.m.**

### **ROLL CALL**

	<u>Present</u>	<u>Absent</u>
Chair Petersen	x	
Vice Chair Sammut		x
Commissioner Johnson	x	
Commissioner Marshall	x	
Commissioner Schindler	x	
Commissioner Chase	x	
Commissioner Tobin		x

### **STAFF PRESENT:**

Planning Division: **Tom Williams**, Community Development Director  
**Aaron Akin**, Associate Planner  
**Tanya Benedik**, Secretary

City Attorney: **Pamela Thompson**, City Attorney

Pledge of Allegiance **Chair Petersen**

- Approval of Minutes**  
April 20, 2004 Motion Johnson/Second Schindler  
(On Page 4 clarify what commissioner Johnson said in 1<sup>st</sup> paragraph)  
May 4, 2004 Motion/Second  
(With changes requested by Chair Petersen, as noted in corrected minutes given to staff, and date of next meeting needs to be corrected.)
- Communication** N/A

### 3. Public Comment

(See after Item #10. The Crossing color change proposal.)

#### 4. 444 Hazel Avenue

Request for a use permit and minor modification permit to allow construction of a new residence that would exceed the .55 FAR guideline, proposes a height of 29.5' from the elevation of the sidewalk in front of the house, where the second story front plane is not setback 5' from the first story, and exceeds the .44 lot coverage; per Section 12.200.030.A.1, 12.200.040.A.1, 12.200.040.B.1, 12.200.050.A, & 12.120.010 of the San Bruno Zoning Ordinance – David Hirzel (applicant/designer), **Kirk & Danette Petersen** (Owners); **UP-04-14, MM-04-02**

**Associate Planner Aknin** entered staff report. Staff recommends that the Planning Commission approve UP 04-14 & MM-04-02 based on Findings of Fact (1-8) and Conditions of Approval (1-16).

#### Public Hearing Opened

**Architect Mr. Hirzel** was present to answer any questions. He gave a brief description of the project. **Commissioner Schindler** asked about the gutters and down spouts being shown on the drawings. **Mr. Hirzel** stated that it was on the revised set of drawings. He reviewed the gutters that are illustrated on the overhead presentation. **Commissioner Chase** asked about the use of garage. He asked if the owner is using the garage for restoration of old vehicles and model trains, then where is he going to park the cars that he uses. **Mr. Hirzel** stated that the proposed home is going to be over 40 feet in length, and over 20 feet deep in garage space, and the other 20 feet will be for the restoration of old cars, and model railroads. **Commissioner Johnson** asked if the owner does the restoration of vehicles as a business, or just a hobbyist. **Mr. Hirzel** replied that this is not his profession. He has a trucking company by trade. Any painting would be done at an offsite location. **Commissioner Marshall** asked why the height requirement couldn't be met. **Mr. Hirzel** explained how the height couldn't really be worked around; it would also change the style of the house that they have worked so hard to acquire. **Associate Planner Aknin** explained that the over all roof height was discussed, but decided not to forward it on with any recommendation to reduce it because it is only 18 inches more than the maximum amount, and would affect the style of the home, which they felt is a very well designed home. **Commissioner Chase** asked if the home would be completely demolished. **Mr. Hirzel** stated that it would include foundation. **Commissioner Chase** asked about excavating some of the earth beneath so that they can obtain the 18 inches there. **Mr. Hirzel** stated that this would complicate things with the drainage and how gravity would work if they do that. **Commissioner Schindler** asked why the basement ceiling height was 9 feet. **Mr. Hirzel** stated that this was a design issue that they have reviewed. **Commissioner Schindler** commended the designer on this project. He felt it was a benefit to the community. **Associate Planner Aknin** stated that the actual height limit in San Bruno is 35 feet. The 28-foot is a guideline to say that if someone wants to go over that to review it to ensure that the overall impact is mitigated in design issues. **Commissioner Chase** asked if the owner of the property has talked to the neighbors about this addition, and what sort of response they have received from them. **Mr. Petersen** (owner) stated that he has spoken to his neighbors about this project and everyone seems to really feel that it is a benefit to the neighborhood. **Commissioner Schindler** asked about the 2 curb cuts that this owner have. **Mr. Petersen** stated that they were subdivided in 1925, and since been combined for tax purposes. But the 2 curb cuts are still there. He is prepared to eliminate the one that is not being used, and restore it back to a curb and gutter use. **Commissioner Johnson** asked about the 2 curb cuts, and if it could be the size of the garage width. **Associate Planner Aknin** stated that he would put that as a condition of approval. **Commissioner Marshall** asked if the fire hydrant would get in the way of this addition. **Mr. Hirzel** stated that he wanted to move it 20 feet and needed to talk to the right people in the city about that. **Community Development Director Williams** stated that could be addressed during the building permit process.

Public Hearing Closed

**Motion Marshall/Second Chase to approve** UP 04-14 & MM-04-02 based on Findings of Fact (1-8) and Conditions of Approval (1-17). (#17 regarding the curb cut)

VOTE: 5-0-0  
AYES: 5  
NOES: 0  
ABSTAIN: 0

**(Chair Petersen advised of 10-day appeal period.)**

**FINDINGS FOR APPROVAL**

1. Proper notice of the public hearing was given by legal notice published in the San Mateo Times, Saturday, May 8, and notices were mailed to property owners within 300 feet of the project site on May 7, 2004.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15332: Infill Development.
5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the existing structure and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for low-density residential purposes.
8. The off-street parking will be adequate for the residence.

**CONDITIONS FOR APPROVAL**

**COMMUNITY DEVELOPMENT CONDITIONS (1-7):**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 04-14 & MM-04-02 shall not be valid for any purpose. Use Permit 04-14 & MM-04-02

shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.

2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit & Minor Modification Permit for a new home shall be built according to plans approved by the Planning Commission on May 18, 2004, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence and garage shall be used only as a single-family residential dwelling unit. No portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
7. The garage shall be used for the storage of two (2) motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

#### **FIRE DEPARTMENT CONDITIONS (8-10)**

8. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
9. Smoke alarms shall be hardwired and interconnected.
10. Due to inadequate fire flow applicant must provide a NFPA 13D fire sprinkler system throughout the entire residence. This includes the entire second floor, attic, & complete coverage of the basement.

#### **PUBLIC WORKS CONDITIONS (11-16)**

11. Storm water from new addition and garage roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.
12. Paint house number on the face of the curb near the driveway approach. It must be black lettering with a white background.
13. The applicant must obtain an encroachment permit through the Public Works Department prior to issuance of the Building Permit.
14. No fence, retaining wall, or other permanent structure shall be placed within 2' from the back of the sidewalk.

15. Install a sanitary sewer clean out per City standards.
16. The applicant must replace all broken or raised concrete in sidewalk or driveway approach as marked (will be marked at time of building review).
17. Proposed curb cut width shall be limited to the width of the garage.

**5. 2670 Fleetwood Drive**

Request for a minor modification permit and use permit to allow a carport that encroaches two foot into the required five foot side yard setback, and proposes 49% lot coverage; per Section 12.120.010.B & 12.200.090.B.3 of the San Bruno Zoning Ordinance – Salem Mufarreh (Owners); **MM-04- 01; UP-04-22**

**Associate Planner Aknin** entered staff report. Staff recommends that the Planning Commission approve UP 04-22 & MM-04-01 based on Findings of Fact (1-8) and Conditions of Approval (1-14).

Public Hearing Opened

Applicant **Mr. Mufarreh** was present to answer questions. He had before and after pictures of the property for the commission. He explained why they needed a carport for this property.

Neighbor at 2650 Fleetwood River commended the current owners of the improvements they have made to this project, and wanted the commission to know how wonderful these neighbors are.

Public Hearing Closed

**Commissioner Johnson** asked staff about the parking that they have, if it is only carport parking and why there was no garage. **Associate Planner Aknin** stated that they only have carport parking, he said that it was either originally constructed this way, or completed with permits.

**Motion Chase/Second Schindler** to approve UP 04-14 & MM-04-02 based on Findings of Fact (1-8) and Conditions of Approval (1-14).

VOTE:	5-0-0
AYES:	5
NOES:	0
ABSTAIN:	0

**(Chair Petersen advised of 10-day appeal period.)**

**FINDINGS FOR APPROVAL**

1. Proper notice of the public hearing was given by legal notice published in the San Mateo Times, Saturday, May 8, and notices were mailed to property owners within 300 feet of the project site on May 7, 2004.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the

City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.

4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15332: Infill Development.
5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the existing structure and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for low-density residential purposes.
8. The off-street parking will be adequate for the residence.

### **CONDITIONS FOR APPROVAL**

#### **COMMUNITY DEVELOPMENT CONDITIONS (1-8):**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 04-14 & MM-04-02 shall not be valid for any purpose. Use Permit 04-14 & MM-04-02 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit & Minor Modification Permit for an addition to an existing dwelling shall be built according to plans approved by the Planning Commission on May 18, 2004, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence and carport shall be used only as a single-family residential dwelling unit. No portion of the residence or garage shall be rented out as a secondary residential dwelling unit.

7. The carport shall be used for the storage motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. There shall be a 3' setback to the eave edge. If not, the eave shall be fire rated.

#### **FIRE DEPARTMENT CONDITIONS (9)**

9. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.

#### **PUBLIC WORKS CONDITIONS (10-14)**

10. Storm water from new addition and garage roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.
11. Paint house number on the face of the curb near the driveway approach. It must be black lettering with a white background.
12. The applicant must obtain an encroachment permit through the Public Works Department prior to issuance of the Building Permit.
13. No fence, retaining wall, or other permanent structure shall be placed within 5'6" from the back of the sidewalk.
14. The applicant must replace all broken or raised concrete in sidewalk or driveway approach as marked (will be marked at time of building review).

#### **6. 3250 Longview Drive**

Request for a use permit to allow construction of an residence that would result in greater than 50% expansion to the existing home, and exceed 2,800 square feet with a two car garage, per Section 12.200.030.B.1 & 12.200.080.A.3 of the San Bruno Zoning Ordinance – Fred Tannous (owner/applicant) - **UP-04-15**

**Associate Planner Akin** entered staff report. Staff recommends that the Planning Commission approve UP 04 -15 based on Findings of Fact (1-8) and Conditions of Approval (1-17).

#### **Public Hearing Opened**

Owner **Mr. Tannous** was present to answer any questions. He explained how they took extreme care in this addition but also wanted to make sure everything flowed instead of looking like they just pieced together a house. He provided a color chart and roof samples for the Planning Commission.

#### **Public Hearing Closed**

**Motion Johnson/Second Chase to** approve UP 04 -15 based on Findings of Fact (1-8) and Conditions of Approval (1-17).

VOTE: 5-0-0  
AYES: 5  
NOES: 0  
ABSTAIN: 0

**(Chair Petersen advised of 10-day appeal period.)**

**FINDINGS FOR APPROVAL**

1. Proper notice of the public hearing was given by legal notice published in the San Mateo Times, Saturday, May 8, and notices were mailed to property owners within 300 feet of the project site on May 7, 2004.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15332: Infill Development.
5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the existing structure and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for low-density residential purposes.
8. The off-street parking will be adequate for the residence.

**CONDITIONS FOR APPROVAL**

**COMMUNITY DEVELOPMENT CONDITIONS (1-9):**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 04-15 shall not be valid for any purpose. Use Permit 04-15 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition to an existing dwelling shall be built according to plans approved by the Planning Commission on May 18, 2004, labeled



Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.

4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence and garage shall be used only as a single-family residential dwelling unit. No portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
7. The garage shall be used for the storage of two (2) motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. 4" drain line required for 4th toilet into street.
9. Fireplace flue through roof shall be shown in the building department set of drawings.

#### **FIRE DEPARTMENT CONDITIONS (10-11)**

10. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
11. Smoke alarms shall be hardwired and interconnected in bedrooms and in hallways adjacent to bedrooms. There shall also be a hardwired smoke detector at the base of the staircase on the first floor.

#### **PUBLIC WORKS CONDITIONS (12-17)**

12. Storm water from new addition and garage roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.
13. Paint house number on the face of the curb near the driveway approach. It must be black lettering with a white background.
14. The applicant must obtain an encroachment permit through the Public Works Department prior to issuance of the Building Permit.
15. No fence, retaining wall, or other permanent structure shall be placed within 2' from the back of the sidewalk.
16. Install a sanitary sewer clean out per City standards.
17. Applicant shall remove weeds from sidewalk, curb and gutter. Applicant shall also trim bushes over sidewalk.

## 7. 1201 Santa Lucia Avenue

Request for a use permit and minor modification permit to allow construction of an addition that proposes greater than 50% expansion and a 3' right sideyard setback; per Section 12.200.030.B.1 & 12.120.010.B of the San Bruno Zoning Ordinance – David & Margaret Martin (Owners); **UP-04-17, MM-04-03**

**Associate Planner Aknin** entered staff report. Staff recommends that the Planning Commission approve UP 04 –17 & MM-04-03 based on Findings of Fact (1-8) and Conditions of Approval (1-13).

Applicant did not provide a color sample to the commission. **Associate Planner Aknin** suggested that a condition be added stating that the Planning Department is to approve the color scheme prior to building permit issuance.

### Public Hearing Opened

Owner **Ms. Martin** was present to answer questions. She stated that the color would remain the same, as it is now, a sky blue with white trim. **Commissioner Johnson** asked applicant if she was in agreement with all the conditions of approval. **Ms. Martin** stated that she was. **Chair Petersen** commented on how close the garage was to the property line, and if she was to widen it a few feet she may be able to get two cars in the garage. **Ms. Martin** stated that because the lot is a triangle shape it makes it not possible.

### Public Hearing Closed

**Motion Schindler /Second Johnson** to approve UP 04 –17 & MM-04-03 based on Findings of Fact (1-8) and Conditions of Approval (1-14) (#14 stating that the applicant is obtain approval from the Planning Department in regards to the color scheme prior to building permit issuance)

VOTE:	5-0-0
AYES:	5
NOES:	0
ABSTAIN:	0

**(Chair Petersen advised of 10-day appeal period.)**

### FINDINGS FOR APPROVAL

1. Proper notice of the public hearing was given by legal notice published in the San Mateo Times, Saturday, May 8, and notices were mailed to property owners within 300 feet of the project site on May 7, 2004.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15332: Infill Development.

5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the existing structure and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for low-density residential purposes.
8. The off-street parking will be adequate for the residence.

## **CONDITIONS FOR APPROVAL**

### **COMMUNITY DEVELOPMENT CONDITIONS (1-7):**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 04-17 & MM-04-03 shall not be valid for any purpose. Use Permit 04-17 & MM-04-03 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit & Minor Modification Permit for an addition to an existing dwelling shall be built according to plans approved by the Planning Commission on May 18, 2004, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence and garage shall be used only as a single-family residential dwelling unit. No portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

## **FIRE DEPARTMENT CONDITIONS (8)**

8. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.

## **PUBLIC WORKS CONDITIONS (9-14)**

9. Storm water from new addition and garage roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.
10. Paint house number on the face of the curb near the driveway approach. It must be black lettering with a white background.
11. The applicant must obtain an encroachment permit through the Public Works Department prior to issuance of the Building Permit.
12. No fence, retaining wall, or other permanent structure shall be placed within 5.5' from the back of the sidewalk.
13. Install a sanitary sewer clean out per City standards (upgrade to City Standards).
14. The applicant is obtain approval from the Planning Department in regards to the color scheme prior to building permit issuance

## **8. 185 Diamond Avenue**

Request for a use permit to allow construction of an addition that would result in greater than 50% expansion to the existing residence; per Section 12.200.030.B.1 of the San Bruno Zoning Ordinance – T.P. Lam, Architect and Owner **UP-04-18**

**Associate Planner Akin** entered staff report. Staff recommends that the Planning Commission approve UP 04-18 based on Findings of Fact (1-9 and Conditions of Approval (1-15).

**Commissioner Marshall** asked if the applicant had thought about putting in another window on the proposed east elevation. **Associate Planner Akin** stated that he didn't think anything was noted at Architectural Review, but if the Commission wanted to propose something they can.

### **Public Hearing Opened**

**Mr. Lam** was present to answer any questions. He stated that this home is set so far back that no one will even see the east side of the house. The window area is a shower, so another small window can be added but he didn't think it needed it. **Commissioner Marshall** pointed out that if someone is looking at the home from Herman Street or any other part of the neighborhood it could be seen, especially since this is a flat area. He felt that it definitely needed to be balanced out. He felt that the addition looked like a box on top of the house. **Commissioner Johnson** agreed with **Commissioner Marshall**. **Associate Planner Akin** suggested adding a condition of approval stating that front elevation window scheme be approved, per the Planning Commission's direction by the Community Development Director.

### **Public Hearing Closed**

**Motion Chase /Second Johnson** to approve UP 04-18 based on Findings of Fact (1-9 and Conditions of Approval (1-19). (#18 stating that front elevation window scheme be approved,

per the Planning Commission's direction by the Community Development Director & 19 to include gutter and downspout condition)

VOTE: 5-0-0  
AYES: 5  
NOES: 0  
ABSTAIN: 0

**(Chair Petersen advised of 10-day appeal period.)**

**FINDINGS FOR APPROVAL**

1. Proper notice of the public hearing was given by legal notice published in the San Mateo Times, Saturday, May 8, and notices were mailed to property owners within 300 feet of the project site on May 7, 2004.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor Expansions to Existing Facilities.
5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the existing structure and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for low-density residential purposes.
8. This project is within the San Bruno Redevelopment Agency and is consistent with the San Bruno Redevelopment Plan.
9. The off-street parking will be adequate for the residence.

**CONDITIONS FOR APPROVAL**

**COMMUNITY DEVELOPMENT CONDITIONS (1-9):**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 04-18 shall not be valid for any purpose. Use Permit 04-18

shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.

2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition to an existing dwelling shall be built according to plans approved by the Planning Commission on May 18, 2004, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence and garage shall be used only as a single-family residential dwelling unit. No portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
7. The garage shall be used for the storage of one (1) motor vehicle and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. The applicant shall not install a washer, dryer or any other obstruction in the garage in order to preserve a full one-car garage (20' in depth).
9. The front elevation window scheme be approved, per the Planning Commission's direction by the Community Development Director

#### BUILDING DIVISION CONDITIONS (10)

10. The second story windows must meet egress requirements.

#### FIRE DEPARTMENT CONDITIONS (11-15)

11. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
12. Smoke alarms shall be hardwired and interconnected in bedrooms and in hallways adjacent to bedrooms. There shall also be a hardwired smoke detector at the base of the staircase on the first floor.
13. Due to inadequate fire flow and access via a narrow street, the applicant must provide a NFPA 13D fire sprinkler system to all new construction and garage.
14. Exterior siding must be fire resistive.
15. The north side yard must be dedicated as an exit pathway.

## PUBLIC WORKS CONDITIONS (16-19)

16. No fence, retaining wall, or other permanent structure shall be placed within 2' from the back of the sidewalk.
17. Install a sanitary sewer clean out per City standards.
18. Paint house number on the face of the curb near the driveway approach. It must be black lettering with a white background.
19. Storm water from new addition and garage roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.

### **9. 1045 Montgomery Avenue**

Request for a use permit to allow a change in use from Light Manufacturing to Autobody Repair and Sales – **Muhammed Anwar** (applicant/designer), **Italo Ditano** (Owners); **UP-04-19**.

**Associate Planner Aknin** entered staff report. Staff recommends that the Planning Commission approve UP 04-19 based on Findings of Fact (1-11) and Conditions of Approval (1-17).

Owner of business **Mr. Anwar** was present to answer questions. He explained the history of his business, in South San Francisco, and how he now needs to relocate because his former place of business was flooded.

**Chair Petersen** asked the applicant if he was able to read the staff report, and if that fairly represents how he operates his business. **Mr. Anwar** replied that it did.

Public Hearing Opened

Public Hearing Closed

**Motion Johnson/Second Chase** to approve UP 04-19 based on Findings of Fact (1-11) and Conditions of Approval (1-17).

VOTE:	5-0-0
AYES:	5
NOES:	0
ABSTAIN:	0

**(Chair Petersen advised of 10-day appeal period.)**

### **FINDINGS FOR APPROVAL**

1. Proper notice of the public hearing was given by legal notice published in the San Mateo Times, Saturday, May 8, and notices were mailed to property owners within 300 feet of the project site on May 7, 2004.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Zoning Code, Article III, Zoning, and Chapter 12.132.

3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Zoning Code, Article III, Chapter 12.140.
4. The proposed use will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, and general welfare of persons residing or working in the neighborhood of the proposed use.
5. The proposed will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city.
6. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 32, Section 15301: Existing Facilities.
7. The proposed use is similar to conditional uses listed in 12.96.160 M-1 Industrial District (e.g., C.1.a. Auto wrecking) of the San Bruno Zoning Code.
8. The applicant will not modify the general appearance of the building, which is in keeping with the character of the neighborhood and is not detrimental to the adjacent real property because the design and materials are similar to other industrial buildings in the area.
9. The applicant will not modify the general appearance of the building, which does not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, does not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
10. The proposed use and the existing building are consistent with the San Bruno General Plan, which designates the property for industrial purposes.
11. The off-street parking will be adequate for the business.

### **CONDITIONS FOR APPROVAL**

#### **COMMUNITY DEVELOPMENT CONDITIONS (1-8):**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 04-19 shall not be valid for any purpose. Use Permit 04-19 shall expire one (1) year from the date of Planning Commission approval unless a business license has been secured prior to the one (1) year date.
2. The request for a Use Permit for the change in use shall not constitute approval for any changes to the existing structure as shown in the plans submitted to the Planning Commission on May 18, 2004, labeled Exhibit B except. Any modification to the building shall require preparation of new plans and prior approval by the Planning and Building Divisions.
3. Before the applicant can make any modifications or add space to the building, the applicant shall obtain a City of San Bruno building permit.
4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.



5. The garage shall be used only for minor repair of automobiles, and autobody preparation work. No autobody spray painting shall be performed on the site, and no portion of the property or garage shall be rented out as a storage for other auto businesses.
6. The garage shall be used for the storage and body repair of two (2) motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
7. Applicant shall submit a landscaping plan to the Community Development Department, and landscaping shall be installed prior to building occupancy.
8. No on-street parking is allowed. All vehicle parking, including employee vehicles, must be provided on site.

#### FIRE DEPARTMENT CONDITIONS (9-12)

9. If any autobody spray painting is performed on the site, a NFPA 13D fire sprinkler system must be installed throughout the entire building.
10. Due to inadequate fire flow applicant must, a NFPA 13D fire sprinkler system must be installed in any building addition.
11. Provide 12-inch address numbers above the front and rear rollup doors.
12. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.

#### PUBLIC WORKS CONDITIONS (13-17)

13. No fence, retaining wall or other permanent structure to be placed within two feet from back of sidewalk per San Bruno Municipal Code Section 8.08.010.
14. Paint house number on the face of the curb near the driveway approach. It must be black lettering with a white background.
15. Drainage from parking lot shall be filtered before entering into the public storm system per San Bruno Municipal Code Section 10.18.090.
16. Install County approved backflow device(s) for domestic water line(s). Show locations, type and details on plans. California Code of Regulations Title 17, Division 1, Chapter 5, Subchapter 1, Group 4, Article 2
17. Remove steel plate from gutter.

#### **10. Staff Discussion**

**Community Development Director Williams** Introduced **Saris Regis TMG Partners** (Developers of the Crossing project) were present to propose a change in the color scheme in the buildings. No formal vote is required at this point, but a consensus from the commission regarding the new proposed color scheme.

**Chair Petersen** asked **City Attorney Thompson** if it would be appropriate to reopen item #3 (Public Comment) since this was not publicly noticed or on the agenda. **City Attorney Thompson** replied that under The Brown Act the Commission couldn't make a decision but because this is informational the Commission could proceed.

### 3. Public Comment

**Mr. Hudacek** from **Regis Homes** was present to discuss the new color scheme that is being proposed. He stated they felt that they needed to enhance the colors and differentiate parts of the building. **Ms. Jill Pelorosha** from Color Studio was hired by **Regis Homes** to review this project. She brought with her some existing site conditions, which she used to develop a color palate. She stated that because of the scale of the building she felt it necessary to add some natural color to it, and this will enhance the way it will sit on the site. She said that the previous color was off-white and grey with a green roof. Given the scale of the building, it would be better to soften the color by making it earthier. The base is more of an organic dirt color; the upper portion is in a soft sand and soft buff color. This will bring the size of the building down to a bit more human scale. The brackets, metal and fascia are done in green (like a tree green), will blend with the roof, and will connect with the rest of the building. This green will also be used on any of the railings around the building. **Commissioner Marshall** asked if the banners and signs would change. **Mr. Hudacek** stated that they have not changed. **Commissioner Johnson** stated that she supported the proposed color change. **Commissioner Schindler** asked for a stucco sample. **Mr. Hudacek** provided all colors of the stucco samples. **Commissioner Johnson** gave an example of a hotel that was built a few years ago, and they also presented colors, and when they were presented it look relatively good, but once the hotel went up, it didn't look like what she had expected. She asked **Ms. Pelorosha** to take a look at this hotel, because she is concerned that this may happen again. **Ms. Pelorosha** stated that she would take the colors and match them to that building, but again explained that these colors are very calm, and feels very comfortable that these colors will sit very gently on the site. **Commissioner Marshall** asked if the materials would be paintable. **Mr. Hudacek** stated that they would be maintained regularly so it will always appear fresh.

**June 17, 2004 - Arch. Review:** Commissioner Chase, Commissioner Schindler (call Sammut and Tobin) Johnson as backup

### 11. Planning Commission Discussion

**Commissioner Chase** asked why 3 commissioners needed for Architectural Review. **Community Development Director Williams** stated that 3 are required under the zoning code for the structure of the Architectural Review Committee. **Commissioner Johnson** commended staff on the quality of their work. **Commissioner Chase** asked staff to put in the Architectural Review minutes the 3 commissioners that were present.

---

**Tom Williams,**  
Secretary to the Planning Commission  
City of San Bruno

---

**Perry Petersen,** Chairperson  
Planning Commission  
City of San Bruno

NEXT MEETING: June 15, 2004

TCW/tb

Adjourned at: 8:30 p.m.